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PROFESSOR LANGDELL—HIS LATER TEACHING DAYS.

TO the generation of students which knew Mr. Langdell only after the school was settled in Austin Hall his most characteristic quality was patience. Whether in working slowly and carefully to a conclusion or in defending that conclusion against all assaults, he never allowed himself the luxury of assuming a point, however axiomatic it may have seemed to him. If he had occasion to examine a decision, he would study it for hours or for days, lest some feature of it might be overlooked; if he used a case in class, he would state the facts with careful fullness, and he would draw from it not only the lesson that seemed of immediate interest, but every other lesson that could possibly be of value to a lawyer. His scholarship was exhaustive and sound rather than brilliant; his teaching was thorough and profound, but we did not get in his lecture-room that intellectual exhilaration which we never failed to feel when we sat under his greatest disciple. He himself was accustomed to speak of his mind as a slow mind; but now and then a flash showed that the slowness was the result of a determination to come to no conclusion without the fullest and most careful consideration.

When we entered his lecture-room, we were struck by the massive intelligence of his brow, we admired his serene and almost impassive face, and we seemed to find the quiet intellectual atmosphere of the cloister. In our time, as a result of his failing sight, he never used the Socratic method in his teaching. He simply talked, slowly and quietly, stating, explaining, enforcing, and reinforcing the principles which he found in the case under discussion. Our note-books read like his articles on Equity Jurisdiction; quiet, forceful, full of thought, and requiring close study to follow them. His manner was usually as quiet as his words. Only now and then, when some subtle point was raised by Judge Mack or Professor Williston (not then judge and professor), his face would light up, and he would begin to think aloud, to the vast delight of those members of his class who could follow him. Those were halcyon days. And once in a great while something would amuse him, and then he would throw back his great head

with a laugh that seemed to have the full strength of his mind in it. Probably no one who heard it will ever forget his amusement when, in the course of a most learned discussion about the nature of an account, some one mentioned the Massachusetts action upon an "account annexed."

It was largely owing to Mr. Langdell's manner in class, and to his careful fullness of statement and of discussion, that his law sometimes seemed too academic; and many of his students said, if they did not really feel, that his teaching was magnificent, but it was not law. He was quoted as speaking of "a comparatively recent case decided by Lord Hardwicke," and he was believed to regard modern decisions as beneath his notice. In the subjects of Equity and Suretyship, which he was then teaching, one might have fancied from his list of cases that Lord Eldon was still on the woolsack and that America was legally undiscovered. Even his warmest admirers felt constrained to give up his course on Mortgages when at Christmas-time he was still dealing with the rights of tenant and mortgagee under a common law mortgage, and had not yet informed us that equity preserved a right of redemption after breach. His list of cases on Specific Performance of Contracts held out the fond hope that we should get as near to the present as the case of *Lumley v. Wagner*; but there was only time in the last lecture for a hurried but scathing criticism of that decision. His manner of treating the subjects he taught was unimpassioned and coldly logical, and his intellectual deliberation seemed medieval.

The quietness of his teaching, however, was the quietness of intensive force, and the antique seeming of his law was all on the surface. We found that we were carrying away his ideas in our heads as well as in our note-books, and that those ideas really represented the law of the present time. We thought it wise to examine modern cases; we took the Massachusetts Digest and collected and carefully studied the current decisions on Equity Jurisdiction; and we found that the judges of the present day were saying precisely the same things that Mr. Langdell had been telling us, though possibly the words sounded more modern from their lips. One of his pupils of that day still prizes his notes of the lectures on Equity Jurisdiction, annotated by a full collection of the Massachusetts and modern English authorities, as one of his most useful law-books. Nearer acquaintance led us to appreciate at its true worth the painstaking and accurate learning of

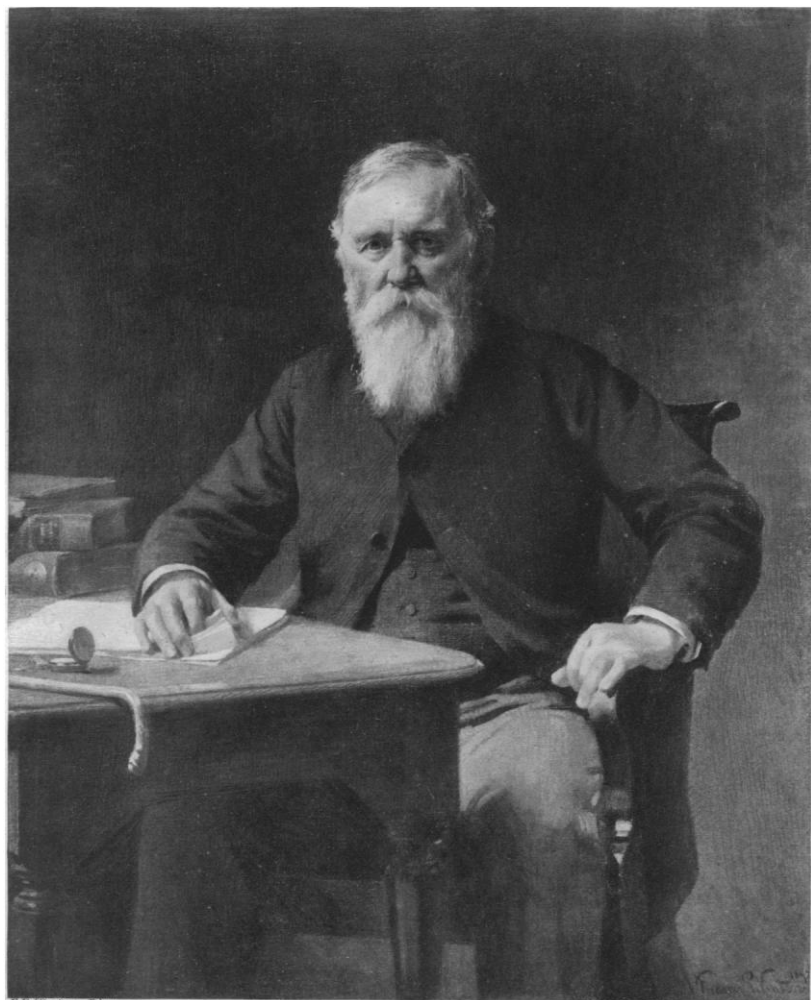
Mr. Langdell's mind, as it led us to admiration and affection for the sterling honesty and the untiring generosity of his character. The test of time has certainly justified his teaching, not only in the learning, but also in the preparedness of his pupils for modern conditions and their mastery of modern law.

To his patient thoroughness we owe his articles on Equity Jurisdiction, which embody the results of long thought and investigation. I happened to be responsible for the now obsolete department of Lecture Notes in the first numbers of the HARVARD LAW REVIEW, and went to him to ask if we might print notes of his lectures on an abstruse point. After long thought he decided that it would be better if he went a little more thoroughly into the matter, and wrote an article upon it. As he wrote, he became engrossed in the line of thought involved, and he decided to expand his article into "A Brief Survey of Equity Jurisdiction," which might perhaps require three monthly articles. He actually worked on the articles seventeen years.

The same characteristic distinguished his work as Dean of the Law School. For twenty-five years the whole administration of the School was carried on with the most minute care. Whether a great measure of policy was under consideration, or the granting of a scholarship, procuring a new Professor or a new book for the library, every consideration which occurred to his great mind on either side of the question was faithfully and even anxiously weighed; the precedents, if any, were examined, and a general principle deduced to govern the case; and it may be truly said that his decisions were so carefully made that they were never overruled or reversed.

We sometimes in our haste think that minds that act with deliberation are apt to be too cautious to accomplish great things. Mr. Langdell acted deliberately, and his nature was thoroughly conservative; yet few men, however radical, have effected greater changes than he.

Joseph H. Beale, Jr.



F. P. Vinton, Peas.

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L. C. Langelle